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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,492	05/02/2001	Ian Zvonko Janoska	16720-3	6282

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Clifford W. Browning  
Woodard, Emhardt, Naughton, Moriarty & McNett  
Bank One Center/Tower  
111 Monument Circle, Suite 3700  
Indianapolis, IN 46204

EXAMINER

MCFADDEN, SUSAN IRIS

ART UNIT	PAPER NUMBER
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2655

DATE MAILED: 03/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/847,492

Applicant(s)

JANOSKA, IAN ZVONKO

Examiner

Susan McFadden

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3,8,9,12-17,20,22-24,28,29,35,36,39-42 and 46-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,8,9,12-17,20,22-24,28,29,35,36,39-42 and 46-54 is/are rejected.
- 7) ☒ Claim(s) 1-3,8,9,12-17,20,22-24,28,29, 35,36,39-42,46-50, and 50-54 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-3,8,9,12-17,20,22-24,28,29, 35,36,39-42, and 46-54 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Objections***

2. Claims 1-3,8,9,12-17,20,22-24,28,29, 35,36,39-42, and 46-54 are objected to because of the following informalities: they refer to "said object" which should be "said mobile object" in all the claims. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 11-155025 (cited by Applicant).

In regard to claims 1-3, JP shows in Figure 1 and the Abstract, a system and method for monitoring the location of a mobile object (motor vehicle) comprising:

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(i) mobile apparatus located with said object, said apparatus comprising: a position determination device for determining coordinate data relating to the location of said object (GPS), said apparatus is further configured to provide verbal navigational information to an occupant of said mobile vehicle (Abstract); a database for relating said coordinate data to textually descriptive data (inherent in GPS systems (streets)) relating to the position of said object: a speech processor for generating a verbal message based on said textually descriptive data, which comprises at least one item from the group of items consisting of place names, suburbs, or street names; a radio communication device (cellular telephone device) for communicating said verbal message; and a processor coupled to said position determination device and said database and said radio communication device for controlling generation and communication of said verbal message; and (ii) communications apparatus (mobile cell phone) operable by a user of said system and configurable to receive communication of said verbal message from said apparatus and provide an audible representation thereof to the user .

5. Claims 1-3,8,9,12-17,20,22-24,28,29, 35,36,39-42, and 46-54 are rejected under 35 U.S.C. 102(e) as being anticipated by Fultz (6,021,371).

In regard to claims 1,8,9,12-17, and 52, Fultz shows in Figure 4, a system and method for monitoring the location of a mobile object (motor vehicle, col. 3, ln 33), comprising:

(i) mobile apparatus (Fig. 1, item 302) located with said object, said apparatus comprising: a position determination device for determining coordinate data relating to

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the location of said object (GPS, item 404, col. 3, ln 45-50) which further comprises a human speech interpretation device for interpreting verbal commands of said user, issued via said communications apparatus (Fig. 5, item 590, col. 9, ln 15-20), said apparatus is further configured to provide verbal navigational information to an occupant of said mobile vehicle (Abstract); a database for relating said coordinate data to textually descriptive data (landmarks, col. 6, ln 27-44) relating to the position of said object (item 409); a speech processor (col. 1, ln 45) for generating a verbal message based on said textually descriptive data (item 408), which comprises at least one item from the group of items consisting of place names, suburbs, or street names (col. 9, ln 62-67, "waypoints", landmarks, names of restaurants (places); a radio communication device (cellular telephone device, col. 7-8) for communicating said verbal message (items 407, 411-412); and a processor coupled to said position determination device and said database and said radio communication device for controlling generation and communication of said verbal message (item 408), configured to control at least one functional feature incorporated in said object in response to a verbal command of said user (col. 9); and (ii) communications apparatus (mobile cell phone, col. 7-8) operable by a user of said system and configurable to receive communication of said verbal message from said apparatus and provide an audible representation thereof to the user (items 19, 412, col. 2), and human speech interpreting device at said mobile object (inherently in a cellular phone) for interpreting verbal commands of an occupant of said mobile vehicle (inquiries, col. 5-6, col. 7-8).

In regard to claims 2,20,22-24,28,29, and 46-50, Fultz shows in Figure 9, a method for monitoring the location of a mobile object (motor vehicle, col. 3) comprising the steps of: (i) establishing a radio communications between a user at a location remote from said object, and an apparatus located with said object (base station, item 201, Fig. 4, item 412), wherein said step of establishing said radio communications link is performed by said user (item 212); (ii) mobile object determining coordinate data relating to the location of said object (GPS, items 504,507); obtaining at said mobile object textually descriptive data relating to the position of said object based on said coordinate data (landmarks, col. 6); generating a verbal message based on said textually descriptive data, ) which comprises at least one item from the group of items consisting of place names, suburbs, or street names (col. 9, In 62-67, "waypoints", landmarks, names of restaurants (places); by said mobile object for conveying said object location (processor, item 508) and verbal navigational information to an occupant of said mobile vehicle (Abstract); delivering said verbal message by said radio communications (cellular mobile telephone, item 512); and audibly announcing said verbal message to said remote user (item 512, Fig. 9, items 201,210-214, col. 11), interpreting at said mobile object verbal commands of a user issued via said communications apparatus (col. 7-8) for controlling at least one functional feature incorporated in said object in response to a verbal command of a user issued via said communications apparatus (col. 9), further comprising the step of interpreting, at said mobile object, verbal commands of an occupant of said mobile vehicle (col. 7-8),

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wherein said apparatus is covertly installed in said motor vehicle (in trunk, col. 8, In 32-40).


In regard to claims 3, 35,36,39-42,51, and 53 , Fultz shows in Figure 4, an apparatus for locating a mobile object (motor vehicle, col. 3), said apparatus comprising: a position determination device for determining coordinate data relating to the location of said object (item 404); and a database for relating said coordinate data to textually descriptive data relating to the position of said object (item 409, landmarks) which comprises at least one item from the group of items consisting of place names, suburbs, or street names (col. 9, In 62-67, "waypoints", landmarks, names of restaurants (places); said apparatus is further configured to provide verbal navigational information to an occupant of said mobile vehicle (Abstract); a speech processor for generating a verbal message based on said textually descriptive data (item 408); a radio communication device for communicating said verbal message (items 407,412); a processor coupled to said position determination device and said database and said radio communication device (cellular mobile telephone, item 412) for controlling generation and communication of said verbal message (item 408) and a human speech interpretation device (col. 8) for interpreting verbal commands received from a remote user which is used to control at least one functional feature incorporated in said object in response to a verbal command of said user (col. 9), further comprising the step of interpreting, at said mobile object, verbal commands of an occupant of said mobile vehicle (col. 7-8), wherein said apparatus is covertly installed in said motor vehicle (in trunk, col. 8, In 32-40).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan McFadden whose telephone number is 571-272-7621. The examiner can normally be reached on Monday-Friday, 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 703-305-4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Susan McFadden  
Primary Examiner  
Art Unit 2655

March 14, 2005